

MATSUMOTO, J.  
LEVY, M.J.

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

**ORIGINAL**

TOMASZ PIOTR HELWING

*(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

**-against-**

CITY OF NEW YORK, JAN PSZENICZNY, GREG  
SOBOLEWSKI alias GRZEGORZ JONCZYK  
JOHN & JANE DOE

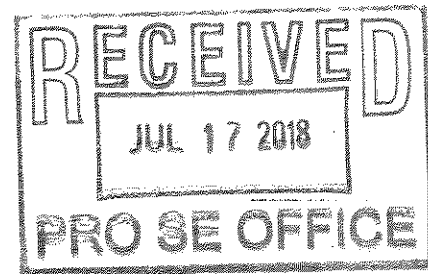
*(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

Complaint for a Civil Case

Case No. **CV 18-3764**

*(to be filled in by the Clerk's Office)*

Jury Trial: ☒ Yes ☐ No  
*(check one)*



**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	TOMASZ PIOTR HELWING
Street Address	8305 149th AVENUE
City and County	HOWARD BEACH
State and Zip Code	11414
Telephone Number	347-804-8228
E-mail Address	tomaszhelwing@gmail.com

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

**Defendant No. 1**

Name	CITY OF NEW YORK
Job or Title (if known)	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address (if known)	

**Defendant No. 2**

Name	JAN PSZENICZNY
Job or Title (if known)	owner of JOHNNY'S CAFE
Street Address	6032 69th LANE
City and County	MASPETH

State and Zip Code	11378
Telephone Number	718-424-0659 cell.: 917-288-1800
E-mail Address (if known)	

## Defendant No. 3

Name	GREG SOBOLEWSKI alias GRZEGORZ JONCZYK
Job or Title (if known)	Effective boss of East Coast Restoration and Consulting Corp. defendant in case 09-cv-5475 owner of 6M Farm Corporation
Street Address	80 Stephensburg Rd or 9 Mountain View Avenue
City and County	Port Murray Long Valley, NJ 07853
State and Zip Code	New Jersey 07865 New Jersey 07853
Telephone Number	908-876-4641 cell.: 917-386-3029
E-mail Address (if known)	

## Defendant No. 4

Name	JOHN & JANE DOE
Job or Title (if known)	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address (if known)	

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question

☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

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**B. If the Basis for Jurisdiction Is Diversity of Citizenship**

**1. The Plaintiff(s)**

**a. If the plaintiff is an individual**

The plaintiff, *(name)* TOMASZ HELWING, is a citizen of POLAND  
the State of *(name)* NEW YORK - temporary resident.

**b. If the plaintiff is a corporation**

The plaintiff, *(name)* \_\_\_\_\_, is incorporated  
under the laws of the State of *(name)* \_\_\_\_\_,  
and has its principal place of business in the State of *(name)* \_\_\_\_\_

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**2. The Defendant(s)**

**a. If the defendant is an individual**

The defendant, *(name)* JAN PSZENICZNY, is a citizen of  
the State of *(name)* NEW YORK. Or is a citizen of  
*(foreign nation)* POLAND.

b. If the defendant is a corporation

The defendant, (name) \_\_\_\_\_, is incorporated under the laws of the State of (name) \_\_\_\_\_, and has its principal place of business in the State of (name) \_\_\_\_\_. Or is incorporated under the laws of (foreign nation) \_\_\_\_\_, and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

Long term of mental anguish and humiliation, exposure to pain and causing pain to a disabled person  
resulting from plaintiffs proceeding/behavior; harassment, intimidation, threat, damages to belongings,  
illegal surveillance, attempt to murder and falsely summon on Criminal Court County of Queens, NY,  
and from discrimination based on disability and nationality - \$1,200,000.00

**III. Statement of Claim**

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Jan Pszeniczny by using his wide contacts at NYPD helps Greg Sobolewski and others his long time friends  
harassed me because I'm plaintiff in nonpayment overtime class action case (09-cv-5475) against Sobolewski and  
others. It is high value case. Frauds made by Sobolewski during the years is for over \$5,000,000.00.  
Pszeniczny is a father of 2 NYPD officers, but contacts with high levels officers of NYPD he has before he injects  
his sons into NYPD service, to help him cover criminal organization in which he is a member. (continue in EXHIBIT)

#### IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Declaring that the acts and practices complained of herein are in violation of the Fourth and Fourteenth Amendments of the United States Constitution, enjoining and permanently restraining constitutional violation.

Awarding plaintiffs compensatory and punitive damages and damages for mental anguish and humiliation and extremely pain generated by defendants to plaintiff, awarding plaintiff attorney's consultations and fees, costs, and disbursements  
granting such other and further relief as this Court deems just and proper. Relief for family and company losses.

#### V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

##### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 07/17, 2018

Signature of Plaintiff

Printed Name of Plaintiff

Thomas Helwig  
TOMAS HELWIG

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AND GREG SOBOLEWSKI alias GRZEGORZ JONCZYK AND JOHN AND JANE DOE

## **EXHIBITS:**

### **REGARDING PART "II B"**

3. THE DEFENDANT: GREG SOBOLEWSKI alias GRZEGORZ JONCZYK is a citizen of the State of New Jersey and/or citizen of POLAND

4. JOHN AND JANE DOE

### **REGARDING PART "III" – Continue "Statement of Claim"**

1. In 2007 I stop working for Greg Sobolewski construction company and from this time I was thinking about recovering nonpayment wages and overtimes. I spoke with several employers of Sobolewski to start the case against him but everybody was scared because Sobolewski image himself like the gangster. In May 2009 I moved to Pszeniczny house on 6037 Fresh Pond Rd, Maspeth, NY 11378 because he gave me very competitive price, like we found out later to spy on me.
2. In October 2009 I started negotiations regarding nonpayment wages and overtimes. Soon after somebody on front of Johnny's Café located at 6039 Fresh Pond Rd, Maspeth, NY owned by Jan Pszeniczny, scratched my 1 year old car. Pszeniczny states the video surveillance does not work on the front of his restaurant and he does not know who did it, it was very no understandable because Pszeniczny moved his restaurant near before from Greenpoint after man (Stanislaw Mazur) died after Pszeniczny and others attacked him on the front of his restaurant located in 2007 on Manhattan Avenue, Brooklyn, NY. Previous owner of both addresses 6037 and 6039 Fresh Pond Rd, Maspeth NY 11378 – one of the famous mobster Joseph Charles Massino. Police officer who made the report changed address to neighbor house in my opinion not by accident he covers Pszeniczny.
3. June 2010, after I and others we opened the case regarding overtimes Pszeniczny and his friend treaded me on his restaurant. Many times during last

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almost 10 years people sent by Sobolewski threatened me. I alerted about it the class action counsel without any positive results.

4. May 2012 after the fire in Laundromat located at first floor of 6037 Fresh Pond Rd, Maspeth, NY I found out unidentified wiring of the house for surveillance damaged by fire.
5. June 2012, I was soon after lower back surgery, Pszeniczny was trying to jump on my back to hurt me on the front of his house.
6. December 2012, Pszeniczny attacked me again on his restaurant when I sat at the table with him. Until to this time he plays a friend of me and "behind my back" he was taunting opinions about me to others.
7. November 2013 I find out surveillance "bugs" in occupied by me and my wife apartment rented from Pszeniczny.
8. December 2013, 2 Police officers (Paweł and Piotr Pszeniczny sons of 'an Pszeniczny) and others assault me on the front of 6037 and 6039 Fresh Pond Rd, Maspeth, NY, kicked me on sidewalk until I lost consciousness and at 10 Fahrenheit degree they left me on the sidewalk without signs of life in a pool of my blood. In knowledge of Pszeniczny contacts in NYPD I informed about it IAB (The Internal Affairs Bureau) – IAB NYPD report log #2013/54720 – in the beginning they start the case very professionally but after I informed the officers who is the major contact of Pszeniczny in NYPD they swipe the claim under the rug. Later I asked many times about report of my claim – they won't provide it to me.
9. June 21<sup>st</sup>, 2014 Jan Pszeniczny installed WIFI surveillance cameras with microphone at hallway of 6037 Fresh Pond Rd, Maspeth, NY to spy on me. Cameras were able to record my talks inside my apartment.



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10. September 21<sup>st</sup>, 2014 at 10:50AM right before we planned to submit the statement to the class action case a woman she called from a landline number 718-424-0659 (house number of Jan Pszeniczny) and when she appeared to be a federal court interpreter, she tried to get information from (plaintiff in the class action case) Sebastian Tkaczyk regarding the case and our plan.
11. December 2014, after "retaliatory case" because of wide contacts in civil court Queens, NY and because of unfair and immoral behavior of lawyers I was forced, together with my wife, to sign a settlement to move out of the apartment. During the trial, I informed repeatedly about crimes and harassment committed against other people used by the Pszeniczny family and their friends.
12. February 2015, Pszeniczny by using his contacts on NYPD he began to put on us policemen who acted like gangsters, kicked at the door, shouted, and the moment I announced that I would call the police or the FBI they fled.
13. March 8<sup>th</sup>, 2018, on the day of our removal from apartment, Pszeniczny appeared in front of the house with two policemen. At that time, I was at Astoria, NY to help my friend bring his sick mother out of the hospital. The detectives tried first to arrest one of the moving company's employees who carried us out (this employee had black hair (I'm blond-gray) and was completely different than I'm). Detective said to my wife he is going to arrest the truck with our stuff if I do not come back immediately. I pleased about half hour by phone, because of pick up sick mother of my friend, detectives do not accepted. I come back immediately and on the front of the house detective informed me I'm arrested because I stealth the WIFI camera from Pszeniczny. We state with my wife it is retaliatory, I state I did not do it and I explain the situation I also pleased about time for moving and so I can came to precinct to clarify the situation later. Detective said he sees it on movie from video surveillance so I stealth the WIFI camera and by very offensive behavior he forced me to go with him without even giving me a call to my attorney what I

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asked for. He promised to show me the movie. After we came to precinct he was very unkind and hostile, he put me in the cage without shoes and kept me without take my testimony for few hours (until all our stuff were taken out of the house during the moving). He brought me down the stairs with the handcuffs behind me, even though I reported that I'm disability and had difficulty moving up and down the stairs, he said the elevator is broken and handcuff in the back is a standard procedure. He licked and joked with other officers about me while I was in terrible pain trying to come down. Officers scattered the moment I asked if they were laughing because they liked free dinners at Johnny's Café. At room where he takes my fingerprints he abused me about 20 minutes and he said that I should not and/or I cannot open a harassment case against Pszeniczny. After it he puts me back to the cage and he said to other officer so I will not give him the fingerprints and that was the reason it takes that long. After the hours he was searching on the computer something like he said "I'm looking for a reason to ding you". Because he cannot find anything and our moving was done on Pszeniczny house side he let me go with the document about the future hearing. He did not give me back my driver license, I have to pick up on some of other day.

14. From March 2015 to July 17<sup>th</sup>, 2017 for over 2 year lawyers and Judge(s) They denied me the right to an equal trial and urged me by all means to admit to the deed I did not commit. A prosecutor who was not officially in the case and whom I had previously seen at Johnny's Cafe was very active throughout the trial. He often talked to Judge Drysdale just before proceeding in my case behind a closed door with a glass window behind courtroom. After dismissing the accusation, he said in the corridor to me, "I'm watching you" - it sounded like a threat. After the last hearing, although I applied for it several times, I did not receive a transcript from the trial.
15. July 2015, somebody broke into my car and tried to pour something into the engine. I did not receive the police report when I arrived at the precinct 104, because the police woman (a woman of 50, a dark-haired not tall who I saw

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earlier at Johnny's Cafe) told the officer who likes to give me the report  
"remember about loyalty" and the report I don't received.

16. December 2015 wife of Pszeniczny opened "retaliatory case" at Small Claim Court, until now I'm waiting for answer for my appeal from immoral decision resulting from the non-legal contacts of attorney of Pszeniczny.
17. Until now I received calls with treats from Sobolewski people. Last time around month ago from Marcin Podgorny, previously "right hand" of Sobolewski, one of defendant in the class action case.
18. During over 10 last years Sobolewski and Pszeniczny they tarnish my opinion, which affects my and my wife company and they by intimidation they cause stress to us, which is one of the main reasons that we can not expand our family.

**END of EXHIBITS**